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09/965,753	09/28/2001	Joseph L. Gargiulo	F-299	2985

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EXAMINER	
CHEUNG, MARY DA ZHI WANG	
ART UNIT	**PAPER NUMBER**
3621	

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/965,753	GARGIULO, JOSEPH L.	
	Examiner	Art Unit	
	Mary Cheung	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 May 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Status of the Claims

1. This action is in response to the amendment filed on May 10, 2004. Claims 1-27 are pending. Claims 1, 10 and 19 are amended.

Response to Arguments

2. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 5-6, 10, 14-15, 19 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels, et al., U. S. Patent 4,556,944 in view of Dietz, U. S. Patent 6,175,820 in further view of Pigos, Jr. et al., U. S. Patent 6,370,521.

As to claims 1, 10 and 19, Daniels teaches a postage metering system for dispensing postage, a method of operating a postage meter system for printing a message, comprising (abstract and column 2 lines 45-48):

a) A voice recognition system for receiving a voice message (column 3 lines 27-32 and Figs. 1-2);

b) A printer module for printing on a recording medium (column 2 lines 45-48 and column 3 lines 21-26);

c) A control system in operative communication with the voice recognition system and the printer module (column 3 lines 13-15 and Figs. 1-2; *specifically, "a control system" corresponding to the main processor in Daniels' teaching*);

d) The control system for: translating the voice message into a computer based text; and printing a print message from the computer based text using the printer module (column 2 lines 45-48 and column 3 lines 40-54).

Daniels does not specifically teach operating a telephone answering machine, and the voice message received by the voice recognition system is received from a modem that receiving an incoming telephone call and storing a voice message associated with the telephone call. However, Dietz teaches operating a telephone answering machine receiving a voice message from an telephone call via a modem, and storing the voice message associated with the telephone call, and translate the voice message into a computer based text (column 4 lines 10-55 and column 6 lines 11-17 and Figs. 1-3B; *specifically, "a telephone answering machine" corresponds to the voice recognition system, such as item 15 in Fig. 1, item 303 in Figs. 3A-3B*). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the voice recognition system in Daniels' teaching to include a telephone answering machine, and a modem for receiving an incoming telephone call and storing a voice message associated with the telephone call because this would expand the

usage environments of the voice recognition system by recognizing the voices received from telephone calls and attract more people to use the postage metering system of Daniels.

The teaching of Daniels modified by Dietz does not specifically teach sending the voice message and print message to a central server. However, Pigos teaches sending all the messages to a central server, wherein the messages including printing message (abstract and column 5 line 8 – column 6 line 13 and Fig. 1). Pigos does not specifically teach the messages including voice message. It would have been obvious to one of ordinary skill in the art to allow the messages in Pigos' teaching to include voice message for expanding the usage environment of Pigos and thus to attractive more users to use Pigos' teaching. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teaching of Daniels modified by Dietz to include the feature of sending the voice message and print message to a central server as taught by the modified teaching of Pigos because this would centralize transactions of the postage meter and better monitoring the transactions.

As to claims 5, 14 and 23, Daniels teaches the control system in the postage metering system is further for establishing printing parameter set by an operator of the postage metering system (column 2 lines 45-48 and column 3 line 61 – column 4 line 2). Daniels does not specifically teach the control system is for parsing the computer based text to create special print characteristics within the print message to highlight critical data in response to a previously established parsing parameter set by an operator of the postage metering system. However,

Dietz teaches a control system for parsing the computer based text to create special characteristics within the print message to highlight critical data in response to a previous established parsing parameter set by an operator (column 4 lines 65 – column 5 line 64 and column 6 lines 8-23 and column 7 lines 1–41). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the control system in Daniels' teaching to include a feature of parsing the computer based text to create special print characteristics within the print message to highlight critical data in response to a previously established parsing parameter set by an operator as taught by Dietz because this would allow the important content within the print message to be prominent to the message reader, thus the message reader can faster and easily to understand the message.

As to claims 6, 15 and 24, Daniels modified by Dietz teaches creating special printer characteristics in response to a previous established parsing parameter as discussed in claim 5 above. Dietz gives examples of the previous established parsing parameter, such as volume level, word distance in time, etc. (column 7 lines 12-25). Daniel modified by Dietz does not explicitly teach the previously established parsing parameter is names. It would have been obvious to one of ordinary skill in the art to allow the teaching of Daniels modified by Dietz to include the feature of the previous established parsing parameter comprising names so that the names in the print message would be prominent to the message reader, and attract the users with particular needs for emphasis on name printings within the print messages to use this postage metering system.

5. Claims 2-3, 11-12 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels, et al., U. S. Patent 4,556,944 in view of Dietz, U. S. Patent 6,175,820 and Pigos, Jr. et al., U. S. Patent 6,370,521, and in further view of Kulpa et al., U. S. Patent 4,744,554.

As to claims 2, 11 and 20, Daniels modified by Dietz and Pigos teaches a postage metering system translating a voice message into a computer based text, and printing the computer based text as discussed in claim 1 above. Daniels further teaches the control system in the postage metering system is further for initiating printing of the print message in response to a previous established print parameter set by an operator of the postage metering system (column 2 lines 45-48 and column 3 line 61 – column 4 line 2; *specifically, "a previous established print parameter set" corresponding to the specific key words that the voice recognition unit is trained to recognize in Daniels' teaching*).

Daniels modified by Dietz and Pigos does not specifically teach the postage metering system further comprising an input hopper for holding a stack of recording media, and a transport module for feeding the recording medium one at a time from the stack downstream in a path of travel past the printer module; and wherein the control system is further for automatically feeding the recording medium from the input hopper. However, Kulpa teaches a postage metering system that is well known in the prior art, comprising an input hopper for holding a stack of recording media, and a transport module for feeding the recording media seriatim (one at a time) from the stack downstream in a path of travel past the printer module, and automatically feeding the recording medium

from the input hopper for printing (column 1 lines 9-23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the postage metering system of Daniels modified by Dietz and Pigos to include the features of an input hopper for holding a stack of recording media, and a transport module for feeding the recording media one at a time from the stack downstream in a path of travel past the printer module, and automatically feeding the recording medium from the input hopper for printing as taught by Kulpa for fast feeding and printing the messages on the recording medium.

As to claims 3, 12 and 21, Daniels teaches the previously established print parameter is automatic printing in response to receipt of the voice message (column 2 lines 45-48 and column 3 line 61 – column 4 line 2).

6. Claims 4, 7-8, 13, 16-17, 22 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels, et al., U. S. Patent 4,556,944 in view of Dietz, U. S. Patent 6,175,820 and Pigos, Jr. et al., U. S. Patent 6,370,521 and Kulpa et al., U. S. Patent 4,744,554, and in further view of Doeberl et al., U. S. Patent 5,310,128.

As to claims 4, 13 and 22, Daniels modified by Dietz, Pigos and Kulpa teaches a postage metering system translating a voice message into a computer based text, and printing the computer based text on a recording medium. Daniels modified by Dietz, Pigos and Kulpa does not explicitly teach the recording medium is a strip tape. However, Doeberl teaches printing information on a strip tape (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the recording medium of

Daniels modified by Dietz, Pigos and Kulpa to be a strip tape because this would expand the usage environments of the postage metering system and attract more people with various types of recording medium to use the postage metering system.

As to claims 7, 16 and 25, Daniels modified by Dietz, Pigos, Kulpa and Doeberl teaches the control system in the postage metering system is further for establishing printing parameter set by an operator of the postage metering system as discussed in claim 4 above. Daniels does not specifically teach the control system is for parsing the computer based text to create special print characteristics within the print message to highlight critical data contained within the voice message in response to a previously established parsing parameter set by an operator of the postage metering system. However, Dietz teaches a control system for parsing the computer based text to create special characteristics within the print message to highlight (i.e. bold printing) critical data contained within the voice message in response to a previous established parsing parameter set by an operator (column 4 lines 65 – column 5 line 64 and column 6 lines 8-23 and column 7 lines 1–41). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the control system in Daniels' teaching to include a feature of parsing the computer based text to create special print characteristics within the print message to highlight critical data contained within the voice message in response to a previously established parsing parameter set by an operator as taught by Dietz because this would allow the important content within the print message to be

prominent to the message reader, thus the message reader can faster and easily to understand the message.

As to claims 8, 17 and 26, Daniels modified by Dietz, Pigos, Kulpa and Doeberl teaches creating special printer characteristics to bold print the special characteristics in response to a previous established parsing parameter as discussed in claim 7 above. Dietz gives examples of the previous established parsing parameter, such as volume level, word distance in time, etc. (column 7 lines 12-25). Daniels modified by Dietz, Pigos, Kulpa and Doeberl does not explicitly teach the previously established parsing parameter includes names as critical data. It would have been obvious to one of ordinary skill in the art to allow the teaching of Daniels modified by Dietz, Pigos, Kulpa and Doeberl to include the feature of the previous established parsing parameter comprising names as critical data so that the names in the print message would be prominent to the message reader, and attract the users with particular needs for emphasis on name printings within the print messages to use this postage metering system.

7. Claims 9, 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels, et al., U. S. Patent 4,556,944 in view of Dietz, U. S. Patent 6,175,820, and Pigos, Jr. et al., U. S. Patent 6,370,521, and Kulpa et al., U. S. Patent 4,744,554 and Doeberl et al., U. S. Patent 5,310,128, and in further view of McCutcheon et al., U. S. Patent 6,161,007.

As to claims 9, 18 and 27, Daniels modified by Dietz, Pigos, Kulpa and Doeberl teaches a postage metering system translating a voice message into a computer based text, and printing the computer based text as discussed above.

Daniels modified by Dietz, Pigos, Kulpa and Doeberl does not specifically teach the postage metering system further comprising: a clock module for supplying real time clock data to the control system; and wherein the control system is further for: creating header information associated with the voice message, the header information including a date/time stamp, a duration indication and a message number indication; and printing the header information with the print message. However, McCutcheon teaches a telecommunication system comprising a clock module for supplying real time clock data to the control system (column 3 lines 54-55 and column 5 lines 33-36); wherein, the control system creates header information associated with the voice message, the header information including a date/time stamp (column 3 lines 61-67 and column 4 lines 29-65); and printing the header information with the print message (column 3 lines 29-65 and column 5 line 61 – column 6 line 3 and Fig. 5). McCutcheon does not explicitly teach the header information including a duration indication and a message number indication. It would have been obvious to one of ordinary skill in the art to allow the header information in McCutcheon's teaching to include a duration indication and a message number indication because these features embedded in the header information would allow the message reader to better identifying and organizing the message. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teaching of Daniels modified by Dietz, Pigos, Kulpa and Doeberl to include the features of a clock module and printing the header information associated with the voice message as taught by the modified teaching of

McCutcheon because these would allow the message reader to better identifying and organizing the message.

Conclusion

8. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sansone et al. (U. S. Patent 4,907,161) teaches batching mailing system.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (703)-305-0084. The examiner can normally be reached on Monday – Friday from 10:00 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (703) 305-9768. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(703) 872-9306 (Official Communications; including After Final Communications labeled "BOX AF")

(703) 746-5619 (Draft Communications)

Hand delivered responses should be brought to Crystal Plaza Two, Room 1B03.

Mary Cheung
Patent Examiner
Art Unit 3621
August 20, 2004

JAMES P. TRAMMELL
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